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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

EDUARDO ARTEAGA, FRANCISCO ) No. 2:06-CV-01177-KJD-LRL  
FLORES, TOMAS NAVA, and JORGE )  
MURGUIA, individually and on behalf of other )  
persons similarly situated, )

Plaintiffs,

vs.

**STIPULATION AND  
ORDER FOR DISMISSAL WITH  
PREJUDICE**

HUTCHINS DRYWALL INCORPORATED, a )  
Nevada Corporation, MARK R. HUTCHINS, as )  
an individual, PULTE HOME )  
CORPORATION, a Michigan Corporation, )  
CENTENNIAL DRYWALL SYSTEMS, INC, a )  
Utah Corporation, and DOES 1 through 10, )

Defendants.

Pursuant to the Joint Motion to Approve Settlement together with the Settlement  
Stipulation attached thereto (Doc. No. 176) that was previously filed with the Court in order to  
accomplish a global resolution of the matter without any admission of liability, and pursuant to the  
Court's Order Approving Settlement (Doc No. 181), it is hereby stipulated by and between the

1 parties to this action through their designated counsel that the above-captioned action be dismissed  
 2 in its entirety, with prejudice, each party to bear their own attorneys' fees and costs, pursuant to  
 3 Fed. R. Civ. P. 41.

4 Under this Court's Order Approving Settlement (Doc No. 181), plaintiffs' counsel was  
 5 required to administer the claims process for a period of ninety (90) days. Pursuant to the  
 6 Stipulation of Settlement (Doc No. 181, pp. 6-8), plaintiffs' counsel was required to file and serve  
 7 all the releases signed by the opt-in plaintiffs, and the Court thereafter to dismiss the action in its  
 8 entirety, with prejudice. Attached hereto as Exhibit 1 to this Stipulation and Proposed Order are 35  
 9 releases, termed "Settlement and Confidentiality Agreement" signed by the opt-in plaintiffs who  
 10 responded during the claims process.

11 Pursuant to the claims process specified in the Order Approving Settlement and Stipulation  
 12 of Settlement (Doc No. 181), plaintiffs' counsel represents that they notified all the plaintiffs and  
 13 opt-in plaintiffs, about the terms of the settlement, provided them with the Settlement and  
 14 Confidentiality Agreement approved by the parties, and sent this information to the opt-in plaintiffs  
 15 at their last known mailing addresses on July 28, 2011 and August 13, 2011. Plaintiffs' counsel  
 16 further represent that they conducted an additional address search for those opt-in plaintiffs who  
 17 did not respond, or for whom the mailings were returned with an indication that the address was  
 18 insufficient. Plaintiffs' counsel additionally represent that they sent the approved release  
 19 confidentiality agreement to the opt-in plaintiffs at any new addresses obtained pursuant to this  
 20 address search. At the close of the ninety day claims process, 35 opt-in plaintiffs signed the  
 21 releases, copies of which are attached to this Stipulation and Proposed Order. Pursuant to the  
 22 parties Stipulation of Settlement and the Court's Order Approving Settlement, plaintiffs have  
 23 administered the claims process for the period specified therein and the claims process is now  
 24 closed.

25 Defendants have also complied with the Stipulation of Settlement and Order Approving  
 26 Settlement.

1 Plaintiffs will wait to distribute the proceeds from the settlement until the Court approves  
2 this Stipulation and [Proposed] Order for Dismissal.

3 As the parties have complied with the Order Approving Settlement, and as plaintiffs'  
4 counsel has administered the claims process and has filed and served the signed opt-in releases, it  
5 is hereby stipulated, by and through the designated counsel below, that the above-captioned action  
6 be dismissed in its entirety, with prejudice, with each party to bear their own attorneys' fees and  
7 costs, pursuant to Fed. R. Civ. P. 41.

8  
9 Dated: November 2, 2011

WEINBERG, ROGER & ROSENFELD  
A Professional Corporation

10  
11 By: /s/ Alan G. Crowley  
12 DAVID A. ROSENFELD  
13 ALAN C. CROWLEY  
Attorneys for Plaintiffs

14  
15 Dated: November 2, 2011

SANTORO, DRIGGS, WALCH, KEARNEY,  
HOLLEY & THOMPSON

16  
17  
18 By: /s/ James E. Whitmire  
19 JAMES E. WHITMIRE  
Attorneys for Defendants  
20 HUTCHINS DRYWALL, INC. and MARK  
HUTCHINS

**ORDER**

Pursuant to the Joint Motion to Approve Settlement together with the Settlement Stipulation attached thereto (Doc. No. 176) that was previously filed with the Court in order to accomplish a global resolution of the matter without any admission of liability, and as the parties have complied with the Order Approving Settlement, the Stipulation of Settlement, and claims process specified therein (Doc No. 181), the Court approves the stipulation for dismissal and hereby Orders that this case be dismissed in its entirety, with prejudice, with each party to bear their own attorneys' fees and costs.

Dated: 11/2/11, 2011



UNITED STATES DISTRICT JUDGE

**EXHIBIT 1**

The following table shows the opt-in plaintiffs who submitted releases. Copies of the releases are behind the table.

<b>LAST NAME</b>	<b>FIRST NAME</b>
1. Arias	Luis
2. Armenta	Arturo Chapurro
3. Arteaga	Arturo
4. Arteaga	Eduardo
5. Barragan	Avelino
6. Beltran	Mauricio Vasquez
7. Benitez	Gabriel
8. Blanco	Jose Miguel
9. Cruz	Saul Sanchez
10. Flores	Francisco Carrillo
11. Flores	David O.
12. Flores	Jose Miguel
13. Fuerte	Jose
14. Garcia	Constancio
15. Garcia	Eduardo Pacheco
16. Garcia	Meliton Gonzales
17. Hernandez	Oscar
18. Hernandez	Clemente
19. Hernandez	Moises
20. Jimenez	Gerardo Davalos
21. Martines	Angel
22. Martinez	Juan Carlos Garcia
23. Martinez Maria	Adan
24. Murgia	Jorge
25. Pacheco	Acelio Alcocer

LAST NAME	FIRST NAME
26. Pina	Jesus A.
27. Robles	Victor Hugo
28. Roman (Chavez)	Eduardo
29. Roque	Abel Gonzalez
30. Sanchez	Everardo Ayala
31. Sanchez	Jose Luis A.
32. Santiago	Jose Luis de
33. Santiago C.	Eduardo de
34. Vasquez	Francisco
35. Vazquez	Jose de Jesus G.